

National Human Rights Institutions and Internally Displaced Persons

The key role of national human rights institutions

National human rights institutions make an important contribution to national efforts toward promoting and protecting human rights. They enjoy official recognition by governments and also often command significant respect within national societies as they usually are headed by influential and eminent people including retired judges or respected human rights activists. In countries affected by internal displacement, national human rights institutions have a valuable role to play in protecting and promoting the human rights of IDPs, as indeed has been recognised and encouraged by governments in UN resolutions.

United Nations Commission on Human Rights Resolution 2005/46 – Internally Displaced Person

The Commission on Human Rights, [...]

18. Notes with appreciation the efforts of non-governmental organizations and the increasing role of national human rights institutions in assisting internally displaced persons in promoting and protecting their human rights; [...]

21. Calls upon the United Nations High Commissioner for Human Rights, in cooperation with Governments and national human rights institutions, and with other relevant parts of the United Nations system, to continue to promote the human rights of internally displaced persons, to enhance their protection on the ground and to develop projects to address their plight as part of the programme of advisory services and technical cooperation, including in the areas of human rights education, training and assistance in legislative and policy development, and to provide information thereon; ...

Good practices

It is good practice for governments facing internal displacement to acknowledge internal displacement as a human rights issue that is part of the mandate of national human rights institutions. National authorities should allocate greater resources to these institutions so that they can address the subject. National institutions can take the following steps to promote and protect the rights of the internally displaced:

- Monitor IDP conditions to ensure that IDPs enjoy the same rights as other citizens in the country and do not face discrimination in seeking to access their rights and that they receive the protection and assistance they require;
- Conduct inquiries into reports of serious violations of IDPs' human rights and work to ensure an effective response by the authorities;

- Follow up on early warnings of displacement and ensure that effective measures are taken by the authorities to protect populations against arbitrary displacement and that decisions taken by the authorities to help displaced populations are implemented in accordance with the guarantees set forth in the Guiding Principles;

Advise the government on the rights of IDPs, in particular by working with national legislative bodies in the development of national laws on internal displacement, based on the Guiding Principles, and helping to frame policies and plans of action, in collaboration with government officials, to effectively address situations of internal displacement;

- Monitor and report on governments' implementation of national legislation and compliance with international treaty obligations as well as on implementation of national policies and plans of action for IDPs;
- Undertake educational activities and training programmes, especially for state institutions, the military and law enforcement agencies on the rights of IDPs, with special attention paid to raising awareness of the particular protection and assistance concerns of women, children and other groups who experience heightened vulnerability;
- Ensure that IDPs are informed about the initiatives being taken on their behalf and are invited to contribute ideas and to participate in the decision-making;
- Forge strong relationships with IDP associations as well as local NGOs and representatives of civil society advocating for the protection of IDP rights;
- Establish a monitoring presence in areas where IDPs' physical security is at grave risk;
- Monitor the return or resettlement of IDPs to ensure that it is voluntary and occurs in conditions of safety;
- Network with national human rights institutions in other countries and relevant regional bodies to share information and experiences on internal displacement with a view to developing best practices.

From: Addressing Internal Displacement: A Framework for National Responsibility, The Brookings Institution-University of Bern Project on Internal Displacement, April 2005

Resources

Asia Pacific Forum of National Human Rights Institutions, **Regional workshop on national human rights institutions and internally displaced persons**, Colombo, Sri Lanka, 26-28 October 2005, Papers and concluding statement [Internet: <http://www.asiapacificforum.net/training/workshops/idp/concluding/index.htm>]

M. Gomez, **National Human Rights Commissions and Internally Displaced Persons**, Illustrated by the Sri Lankan Experience, July 2002, The Brookings – SAIS Project on Internal Displacement [Internet: http://www.brookings.edu/fp/projects/idp/articles/gomez_20020701.htm]

The Brookings Institution-University of Bern Project on Internal Displacement, **Addressing Internal Displacement: A Framework for National Responsibility**, April 2005 [Internet: http://www.brookings.edu/fp/projects/idp/articles/gomez_20020701.htm]



The example of the Philippines human rights commission

ACTION PLAN on IDPs

For the Period Covering January to December 2005

Central Office

<p>Program/Project/Activity</p>	<p>BUILDING SUPPORT MECHANISM: - National Forum on IDPs - Funders Forum for the implementation of programs and plans for the IDPs - Forging partnerships among duty and stake holders</p>	<p>EDUCATION AND RESEARCH OFFICE: - Design of HRE modules on the rights of the IDPs (workshop) - Annotation of the training (workshop, printing of the UN GP) - Production of development, information materials</p>	<p>INVESTIGATION OFFICE: Quick Reaction Mechanism proposal</p>	<p>LEGAL/ INSTRUMENTS MONITORING OFFICE: - Review of administrative issuances and circulars pertaining to the IDPs - Review of laws relating to IDPs and their rights - Lobby for the passage of the IDP bill</p>	<p>MONITORING: - Baseline data banking - System of monitoring - Training</p>
<p>Objectives</p>	<p>- To bring into focus the plight the IDPs and their rights in the national attention - Establish support mechanisms for IDPs</p>	<p>- To integrate the rights of the IDPs in the HR Education (HRE) Programs of CHR and other partner agencies - To assist the educators in the teaching of the rights of the IDPs</p>	<p>To come with a quick reaction mechanism to respond to movement of the IDP as well as their situation</p>	<p>- Issue advisories, legal policies, guidelines - Review laws - Lobby</p>	<p>To come up with a base line data on IDPs re: HR situationers, investigation report, policy formulation</p>
<p>Expected Output</p>	<p>- Working group focusing on IDPs - Support and commitment from line agencies and civil society groups as well as synchronization of efforts for IDPs - Signing of MOA/MOU</p>	<p>- HRE training design for IDPs - Integrated HRE for IDPs in CHR programs - Annotated UN GP - Fliers on IDPs - Education materials/film documentaries</p>	<p>Immediate action of assistance/response (before, during and after)</p>	<p>- Executive department's line agencies responsible for policy implementation - Stake holders on IDPS</p>	<p>Monitoring scheme, monitoring tool</p>
<p>Target Sector/ Clientele</p>	<p>Department Social Welfare and Development, National Police, Armed Forces, Local Govt. Units, CHR, civil society groups, Civil Defense, local and international funders</p>	<p>CHR information officers and other training institutions</p>	<p>IDPs, children, civilians, non-combatants</p>	<p>IDPs</p>	<p>IDPs</p>
<p>Resource Requirements</p>	<p>Funding for the national forum and programs</p>	<p>Technical training; funding for the workshop and printing of UNGPID</p>	<p>Transportation and mobility funds</p>	<p>Monitoring equipment (computers, manpower)</p>	<p>Monitoring equipment (computers, manpower)</p>
<p>Success Indicators</p>	<p>- A working NIACIPA on the projects for IDPs - Implementation of projects and programs for IDPs</p>	<p>No. of pilot tests</p>	<p>- Number of IDP incidence assisted/responded - A quick reaction system in all the regions</p>	<p>- Effectively implemented issuances and orders - IRR strictly implemented - No. of laws enacted</p>	<p>- No. of monitoring conducted - Comprehensive of the report on HR situations</p>